

**MINUTES OF THE
BOROUGH OF CLEMENTON
MARCH 4, 2014
CAUCUS MEETING
OF THE MAYOR AND COUNCIL**

OPENING: Mayor John J. Nicholson Jr. called the meeting to order at 7:08PM.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: Mayor Nicholson read the following statement, "This meeting has been properly advertised and posted pursuant to N.J.S.A. 10:4-6, the Open Public Meetings Act."

ROLL CALL: Jenai Johnson, Municipal Clerk/Administrator, called the roll which resulted in the following members present: Mayor John J. Nicholson Jr., Councilman Mark Armbruster; Councilman Thomas Avellino; Councilman Jonathan Fisher; Councilwoman Christine Nucera; Councilman Thomas Weaver. Absent: Councilman Thomas Williams.
Also present were Solicitor George Botcheos and Engineer Wayne Roorda.

SALUTE TO THE FLAG: Mayor Nicholson led in the salute to the flag.

PRIVILEGE OF THE FLOOR FOR A TOTAL TIME NOT TO EXCEED 10 MINUTES FOR ITEMS APPEARING ON THE AGENDA ONLY: Mayor Nicholson opened the floor to the public in attendance, for matters relating to agenda items only. Hearing no comments from the public, Mayor Nicholson closed the floor.

APPROVAL OF MINUTES:

MINUTES OF THE FEBRUARY 18, 2014 COUNCIL MEETING-Councilwoman Nucera motioned to approve the minutes for February 18, 2014, as presented. Motion was seconded by Councilman Armbruster and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

MINUTES OF THE FEBRUARY 25, 2014 SPECIAL BUDGET MEETING- Councilman Armbruster motioned to approve the minutes as presented, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

ORDINANCES AND RESOLUTIONS:

SECOND READING/PUBLIC HEARING

ORDINANCE 2014-02 AMENDING AND SUPPLEMENTING CHAPTER 51 OF THE CODE OF THE BOROUGH OF CLEMENTON, ENTITLED POLICE DEPARTMENT. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve on second reading, seconded by Councilman Armbruster. Mayor Nicholson opened the public hearing. Hearing no comments from the public, the floor was closed. Motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

INTRODUCTION/FIRST READING

ORDINANCE 2014-03 CREATING CHAPTER 291 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "WATER AND SEWER, CONNECTION". Mayor Nicholson read by title. Councilman Avellino motioned to approve on first reading, seconded by Councilman Weaver. Solicitor Botcheos stated that he had been communicating with Michael Fink of Leewood Development, regarding the proposed provisions of the ordinance. Mr. Botcheos stated that three objections were noted by Mr. Fink. Solicitor Botcheos stated that the first objection related to the specific requirements for the maintenance bond. Solicitor Botcheos stated that this had been amended to become in agreement with Municipal Land Use Law (MLUL). Mr. Botcheos stated that he had spoken to Bach Associates relating to this change, and that the amended version had been sent to Jenai Johnson, which would now be in compliance with MLUL requirements. Mr. Wayne Roorda of Bach Associates reported on the second objection noted by Mr. Fink. Mr. Roorda stated that it related to the specific fixed pressure for testing of water and sewer mains.

Mr Roorda indicated that it had been a typographical error, and since rectified. Mr. Bach stated that he had also been notified that Mr. Fink had an objection to the requirement for video inspection of the sewer lines. Solicitor Botcheos stated that Mr. Fink had concerns relating to the costs that would be associated with video inspection. Mr. Roorda stated that the decision would need to be based solely upon the preferences of Mayor and Council, as municipalities have varying requirements. Mr. Roorda stated that video inspection would ensure that the lines were installed properly and that there were no leaks. Mr. Roorda reported that an alternate practice would be to require lamping and pressure testing. After brief discussion, it was the determination of Council that the Borough would initially require the lamping and pressure test. If any concerns were noted as a result of the preliminary testing, video inspection would then become necessary as a second phase.

Hearing no further comment, motion to introduce Ordinance 2014-03 was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

It was noted that the Second Reading/Public Hearing was scheduled for Tuesday, March 18, 2014.

INTRODUCTION/FIRST READING

ORDINANCE 2014-04 AMENDING AND SUPPLEMENTING CHAPTER 277 OF THE CODE OF THE BOROUGH OF CLEMENTON ENTITLED, "MUNICIPAL FACILITIES". Mayor Nicholson read by title. Councilwoman Nucera motioned to approve on first reading, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

RESOLUTION R14-47 AUTHORIZING APPOINTMENT OF ECONOMIC DEVELOPMENT ASSOCIATES FOR THE BOROUGH OF CLEMENTON FOR YEAR 2014. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera. Councilman Avellino stated that the Borough had a solicitor and did not see the need to appoint the economic development firm. Solicitor Botcheos clarified that he did not perform economic development services. Jenai Johnson also noted that Economic Development Associates was paid only for the services that are actually rendered, and there were no retainer fees associated with this appointment. Hearing no further comments, motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

RESOLUTION R14-50 ENDORSING SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION FOR YEAR 2014. Mayor Nicholson read by title. Councilman Weaver motioned to approve, seconded by Councilman Fisher and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

RESOLUTION R14-51 AMENDING 2014 TEMPORARY BUDGET. Mayor Nicholson read by title. Councilman Armbruster motioned to approve, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

RESOLUTION R14-52 AUTHORIZING HIRE OF MABEL GILLESPIE TO THE POSITION OF CROSSING GUARD IN THE BOROUGH OF CLEMENTON, RETROACTIVE TO FEBRUARY 24, 2014. Mayor Nicholson read by title. Councilwoman Nucera motioned to approve, seconded by Councilman Weaver and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams.

UNFINISHED BUSINESS:

DISCUSSION REGARDING SOLID WASTE DISPOSAL IN THE BOROUGH OF CLEMENTON- Mayor Nicholson stated that there had been complaints related to the pickup of trash within the Borough. Councilman Armbruster asked if there had been an increase in complaints related to trash. Jenai Johnson noted that she had requested that Al Sexton attend the meeting to address any questions or issues, and deferred to him related to the topic. Mr. Sexton, Code Enforcement Officer, stated that he had spoken to the owner of Central Jersey Waste continuously to address the problems being experienced and had been advised that the crew had been suspended as a result of the latest unsatisfactory pick up. Mr. Sexton also emphasized that all problems reported are expeditiously resolved by himself in conjunction with the trash

company. It was also noted that all incidents reported by residents are logged in a book for use in any legal actions that may become necessary in the future.

Councilman Armbruster reported that it was his belief that it would not be beneficial for the Borough to attempt to withdraw from the current trash pick up contract at this time. Councilman Armbruster noted that it would be costly and lengthy to attempt, especially with the current contract scheduled to expire at year end. Solicitor Botcheos concurred with Councilman Armbruster's assertion. Councilman Armbruster stated that he wished for the Chief of Police to perform some research and determine whether the Borough was able to personally cite the members of the trash collection crew for littering, which would amount to a \$500 municipal fine, or \$1,000 State fine. Chief Freiling stated that he would look into the matter and obtain the advice of the municipal prosecutor. Solicitor Botcheos stated that it had been his experience that many towns remained unsatisfied with their trash collection services, possibly resulting from the caliber of employees hired by the companies. Solicitor Botcheos recommended that Mr. Sexton continue to follow through with any complaints and ensure that the crew be changed, as promised by the owner of Central Jersey. Solicitor Botcheos also stated that the Chief of Police should follow through with the citing of the employees if it were determined to be appropriate by the prosecutor.

NEW BUSINESS:

AGGREGATE RESIDENTIAL ENERGY- Mayor Nicholson reported that he had previously provided Council with information relating to the purchase of aggregate residential energy in the Borough of Clementon. Mayor Nicholson stated that he continued to feel that offering such would be a benefit to the Borough residents, considering the cost savings being realized by the Borough for the commercial aggregate purchase. Mayor Nicholson stated that other towns have reported success and also noted that residents would have the ability to opt out of the program with no penalty. Mayor Nicholson stated that he would obtain a sample ordinance for the Solicitor, if there were no objections from the Governing Body. Hearing no objections, Mayor Nicholson stated that he would obtain the sample ordinance for future consideration.

LORING PROPERTY- Solicitor Botcheos reported that he had received correspondence from the wife of Mrs. Loring, who had reported that the title to the property was now clear, and inquired whether the Borough still had interest in the purchase of the property for open space. Solicitor Botcheos noted that Mrs. Loring had significantly increased the asking price, and suggested that the Borough obtain an updated appraisal. Mayor and Council directed Solicitor Botcheos to obtain a cost from Lee Rohm to perform the appraisal.

ROUTE 30- GIBBSBORO ROAD INTERSECTION- Councilman Armbruster reported that he would be meeting with Paul Moriarty, the Mayor of Lindenwold and New Jersey Department of Transportation relating to the concerns of the intersection, which had been expressed by so many residents. Councilman Armbruster stated that if there were no objection, he wished to take Chief Freiling to the meeting to elaborate on the number of responses due to traffic accidents at the intersection.

DANIEL DOUGHERTY COMPLEX IMPROVEMENTS- Councilman Armbruster reported that there was an immediate need to address the Backstop replacement at Daniel Dougherty Ball Field, as well as drainage issues in the area. Councilman Armbruster noted that both Clementon Elementary and CYAA seasons would begin soon, and the improvements were necessary prior to the commencement of the season. Councilman Armbruster motioned to authorize the expenditure of Open Space Trust Funds in an amount not to exceed \$9,000, to award to the lowest quote, seconded by Councilwoman Nucera and motion was carried upon the call of roll. Ayes: Armbruster; Avellino; Fisher; Nucera; Weaver. Absent: Williams. (MEMORIALIZED BY RESOLUTION R14-53)

Councilwoman Nucera noted that the CES Girls Softball was slated to start March 26th or 27th.

REFERENDUM TOWN MEETINGS- Councilman Armbruster stated that he wished to get approval from Council to hold information Town Meetings relating to the Referendum to Exceed the Cap to hire two additional officers in the Borough. Councilman Armbruster stated that the dates he wished to propose were Tuesday, April 8th and Thursday, April 17th, both at 7:00PM at the Community Center/Fire Hall. Hearing none opposed, Jenai Johnson was directed to publish notice of meetings as necessary.

PRIVILEGE OF THE FLOOR:

Mayor Nicholson opened the floor to the public. Hearing no comments from the public, Mayor Nicholson closed the privilege of the floor.


EXECUTIVE SESSION:

There were no matters for discussion in executive session.

ADJOURNMENT:

Councilman Armbruster motioned to adjourn at 7:45 PM, seconded by Councilman Weaver and hearing none opposed, motion was carried.

Respectfully Submitted,



Jehai L. Johnson,
Municipal Clerk/Administrator